

**THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

WRIT PETITION No.23690 of 2007

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Dated: 07-11-2007

Between:

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M/s.Sri Sai Ganapathy Cotton traders, Proddatur.
...Petitioner

and

The Commercial Tax Officer-I (FAC),
Proddatur.
...Respondents

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AND
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WRIT PETITION No.23690 of 2007

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Order: (Per The Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties and with their consent, the Writ Petition is being disposed of at this stage.

The controversy is that pending an appeal before the Sales Tax Appellate Tribunal, the respondent issued the notice dated 25-10-2007, demanding payment of the

disputed tax within a period of three days. We have gone through the record. We feel that the interest of justice would be met if stay is granted pending appeal, subject to deposit of fifty percent of the disputed tax liability. Therefore, we set aside the impugned notice dated 25-10-2007 issued by the respondent and direct that fifty percent of the disputed tax liability shall be paid by the petitioner on or before 19-11-2007. Till 19-11-2007, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited on or before 19-11-2007. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal.

The Writ Petition is disposed of accordingly. No costs.

(Bilal Nazki,

J)

Dated 7th November, 2007

(Ramesh Ranganathan, J)

Note:

Wire at party's costs.

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